

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CHRISTOPHER SADOWSKI,

Plaintiff,

V.

IHEARTMEDIA, INC.,

Defendant.

CIVIL ACTION NO. SA-20-CA-0708-FB

ORDER TO SHOW CAUSE

Before the Court is the status of the above-styled and numbered cause. Plaintiff initiated this copyright infringement case with the filing of his original complaint (docket no. 1) on June 17, 2020. The named defendant has not answered or otherwise appeared. The reason for this failure appears to be the plaintiff's failure to obtain service of the summons and a copy of the complaint upon the defendants. Federal Rule of Civil Procedure 4(c)(1) provides in relevant part: "The plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to the person who makes service." FED. R. CIV. P. 4(c)(1) (emphasis added). The time limit for service under Rule 4(m) provides in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But, if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. . . .


FED. R. CIV. P. 4(m). More than 90 days have elapsed since the filing of the complaint and there is no indication that the plaintiff has served the defendant.

IT IS THEREFORE ORDERED that the plaintiff shall show good cause, **on or before October 20, 2020**, why the above styled and numbered cause should not be dismissed pursuant to Rule 4(m) and

for failure to prosecute. The plaintiff is notified that the failure to timely and properly respond to this Order to Show Cause will result in the dismissal of this case.

It is so ORDERED.

SIGNED this 13th day of October, 2020.



FRED BIERY
UNITED STATES DISTRICT JUDGE